

Notice of Allowability

Application No.

10/625,608

Examiner

Jenna-Leigh Befumo

Applicant(s)

GILLETTE, S. MARK

Art Unit

1771

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on July, 11, 2005.
2. ☒ The allowed claim(s) is/are 5-19.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

On page 3, in the fourth line of the second full paragraph, after "fabric or", replace "mift" with --mitt--.

On page 4, in the sixth line of the first paragraph, after "fabric,", replace "witt" with --mitt--.

On page 4, in the second line of the second paragraph, after "form", replace "esthetically" with -- aesthetically--.

On page 4, in the fourth line of the second paragraph, after "imidazolines and", replace "ethylane" with --ethylene--.

On page 5, in the second line of the page, after "form an", replace "esthetically" with -- aesthetically--.

2. The following is an examiner's statement of reasons for allowance:
3. The amendment submitted on July 11, 2005, has been entered. Claims 1 – 4 are cancelled. Claims 5, 6, and 8 – 12 have been amended. Thus, the pending claims are 5 – 19.
4. The 35 USC 103 rejections based on Taylor (5,756,161) or Taylor and Sheridan (6,103,644) are withdrawn since Taylor and Sheridan fail to teach adding an imidazoline (which is an amphoteric surfactant) to the solid cleansing composition comprising nonionic and anionic surfactants, coated on the nonwoven fabric of Taylor.

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5. An updated search of the prior art showed that while imidazoline compounds are known and used in soap compositions, such as laundry detergents, as demonstrated by Lunati (6,362,150), the prior art fails to specifically teach why one would choose an imidazoline from the list of amphoteric detergents, except as a softener in laundry detergents, which would not be useful in Taylor. Further, the prior art teaches that imidazoline compounds are one of many types of amphoteric surfactants which can be mixed with other anionic and cationic surfactants to produce various detergent compositions, such as Kasturi et al. (6,827,795) or Brumbaugh (5,998,355). However, the prior art fails to provide any teachings that one of ordinary skill in the art would choose an imidazoline compounds over other known amphoteric surfactants or that an imidazoline compound provides any unique or superior results when mixed with nonionic or anionic surfactants, and specifically, alkanolamides and dialkylammonium chloride or ethylene oxide/propylene oxide block copolymer, as compared to other commonly known surfactants. Finally, the prior art fails to teach that surfactant compounds useful in soap compositions specifically designed to produce soaps that are liquid at room temperature, such as Gabriel et al. (5,906,972), can be added to and useful in solid cleansing compositions, such as those taught by Taylor or claimed by the Applicant.

6. Therefore, the prior art fails to teach or fairly suggest nonwoven fabric coated with a cleansing composition comprising an alkanolamide, an imidazoline, and an ionic surfactant, wherein the alkanolamide and the ionic surfactant solid below 30°C. Additionally, the prior art fails to teach or fairly suggest a cleansing composition comprising an imidazoline and an alkanolamide, and either a dialkylammonium chloride or an ethylene oxide/propylene oxide block copolymer wherein the alkanolamide and either the dialkylammonium chloride or ethylene oxide/propylene oxide block copolymer are solid below 30°C.

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7. Thus, claims 5 – 19 are allowed.
8. The amendments to the specification set forth above were made to correct minor typographical errors in the specification found during prosecution.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jenna-Leigh Befumo whose telephone number is (571) 272-1472. The examiner can normally be reached on Monday - Friday (8:00 - 5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris can be reached on (571) 272-1478. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jenna-Leigh Befumo
September 29, 2005